

# NOTICES OF EXEMPT RULEMAKING

The Administrative Procedure Act requires the *Register* publication of the rules adopted by the state's agencies under an exemption from all or part of the Administrative Procedure Act. Some of these rules are exempted by A.R.S. §§ 41-1005 or 41-1057; other rules are exempted by other statutes; rules of the Corporation Commission are exempt from Attorney General review pursuant to a court decision as determined by the Corporation Commission.

## NOTICE OF EXEMPT RULEMAKING

### TITLE 7. EDUCATION

### CHAPTER 2. STATE BOARD OF EDUCATION

*Editor's Note: The following Notice of Exempt Rulemaking is exempt from the Governor's Regulatory Review Plan memorandum, January 22, 2009 and its continuations on April 30 and June 30, 2009 per A.R.S. § 41-1005. (See a copy of the memorandum on pages 1611 through 1613.)*

[R09-88]

#### PREAMBLE

- | <u>1. Sections Affected</u> | <u>Rulemaking Action</u> |
|-----------------------------|--------------------------|
| R7-2-302.06                 | Amend                    |
| R7-2-302.07                 | New Section              |
| R7-2-302.08                 | New Section              |
| R7-2-302.09                 | New Section              |
- 2. The statutory authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**  
Authorizing statute: A.R.S. §§ 15-203(A)(1) and 15-701.02  
Implementing statute: A.R.S. § 15-701.02
- 3. The effective date of the rules:**  
August 24, 2009
- 4. A list of all previous notices appearing in the *Register* addressing the exempt rules:**  
Not applicable
- 5. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**
- |            |   |
|------------|---|
| Name:      | Vince Yanez, Executive Director<br>State Board of Education |
| Address:   | 1535 W. Jefferson St.<br>Phoenix, AZ 85007                  |
| Telephone: | (602) 542-5057  |
| Fax:       | (602) 542-3046  |
| E-mail:    | vince.yanez@azed.gov  |
- 6. An explanation of the rule, including the agency's reasons for initiating the rule, including the statutory citation to the exemption from the regular rulemaking procedures:**  
Pursuant to A.R.S. § 15-701.02 the State Board of Education is required to adopt rules that allow high school students that fail to achieve a passing score on the AIMS test to augment their test scores with points derived from classroom grades of "C" or better. In 2008, HB2008 was passed which amended A.R.S. § 15-701.02 by reinstating this process and requiring the State Board of Education to amend the rules in several ways.  
Pursuant to A.R.S. § 41-1005(F) the State Board of Education is exempt from standard rulemaking procedures.
- 7. A reference to any study relevant to the rule that the agency reviewed or did not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:**  
Not applicable

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- 8. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:**  
Not applicable
- 9. The summary of the economic, small business and consumer impact:**  
The rules are not expected to have significant, if any, economic impact on small businesses but may have some impact upon school districts and charter schools. School districts and charter schools will be required to allocate additional resources, including technology and personnel, to make the necessary calculations for their students that do not achieve a passing score on any section of AIMS as well as for staffing any related appeals.
- 10. A description of the changes between the proposed rules, including supplemental notices and final rules (if applicable):**  
Not applicable
- 11. A summary of the comments made regarding the rule and the agency response to them:**  
A public hearing was held regarding these proposed rules on July 21, 2009. No comment was received.
- 12. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:**  
Not applicable
- 13. Incorporations by reference and their location in the rules:**  
Not applicable
- 14. Was this rule previously made as an emergency rule? If so, please indicate the Register citation:**  
Not applicable
- 15. The full text of the rule follows:**

TITLE 7. EDUCATION

CHAPTER 2. STATE BOARD OF EDUCATION

ARTICLE 3. CURRICULUM REQUIREMENTS AND SPECIAL PROGRAMS

Section

- R7-2-302.06. AIMS, Additional Credit; Graduation Class of 2010  
R7-2-302.07. AIMS, Additional Credit; Graduation Class of 2011  
R7-2-302.08. AIMS, Additional Credit; Graduation Class of 2012  
R7-2-302.09. AIMS, Additional Credit; Beginning with the Graduation Class of 2013

ARTICLE 3. CURRICULUM REQUIREMENTS AND SPECIAL PROGRAMS

**R7-2-302.06. AIMS, Additional Credit; Graduation Class of 2010**

- A. A pupil who fails to achieve a passing score on the AIMS assessment for high school graduation during the ~~2007-2008~~ and ~~2008-2009~~ 2009 – 2010 school years ~~years~~ year may graduate if the pupil meets the alternative graduation requirements established pursuant to this Section.
- B. A school district or charter school is not required to comply with this Section if it is determined that augmenting the pupil's score on any section of the AIMS assessment by ~~25~~ 15 percent would not meet or exceed the "Meets the Standard" threshold.
- C. A pupil is eligible for the alternative graduation requirement established pursuant to this Section if all of the following apply:
1. The pupil has completed with a passing grade all coursework and credits prescribed for the graduation of pupils from high school by the governing board of the pupil's school district or charter school.
  2. The pupil has taken the AIMS assessment each time the test was offered when the pupil was eligible to take the test after August 12, 2005.
  3. The pupil has participated in any academic remediation program available in the pupil's school in those subject areas where the pupil failed to achieve a passing score on AIMS.
- D. If a pupil is not eligible for the AIMS augmentation due to a failure to meet the requirements in subsections (C)(2) and/or (3) the student may appeal this decision to the local governing board. The governing board may delegate these appeals to other school district or charter school officials. All appeals held pursuant to this subsection shall comply with the following requirements:

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1. The governing board shall adopt a form for a petition that a pupil, or a pupil's parent or legal guardian, must complete to initiate an appeal. The petition shall indicate what requirement is being appealed and the basis for the appeal. The petition shall also include a written explanation of the appeal procedures used by the school district or charter school.
  2. The pupil, or the pupil's representative, shall have the burden of demonstrating what circumstances prevented compliance with the requirements in subsections (C)(2) and/or (3).
  3. An appeal for failing to meet the requirement in subsection (C)(2) should be granted only upon presentation of credible evidence that extreme circumstances made the pupil ineligible for each AIMS assessment administration the student did not attend.
  4. An appeal for failing to meet the requirement in subsection (C)(3) should be granted only upon presentation of credible evidence that the pupil has participated in at least one state or school sanctioned remediation program in those subject areas where the pupil failed to achieve a passing score on the AIMS assessment.
  5. School district or charter school officials shall provide adequate notice to the pupil and the pupil's parents or legal guardians regarding the date, time and place of the appeal. A pupil, or a pupil's representative, may participate in the appeal either personally, by telephone, or by providing written documentation.
  6. All other procedures regarding these appeals shall be determined by the local school district or charter school governing board.
- E. Every school district or charter school that graduates pupils from high school shall determine whether the pupils that have failed to achieve a passing score on any section of the AIMS assessment meet the alternative graduation requirements established by this Section. In making this determination the school or school district shall adhere to the following requirements:
1. The school district or charter school shall augment the score of each section of the AIMS assessment where a pupil failed to achieve a passing score with additional points derived from classroom performance. These points shall represent a potential percentage augmentation from a pupil's original score. The number of additional points shall be calculated as follows:
    - a. Only classes that satisfy the following 11 1/2 credits shall be included in the calculation:
      - i. Four credits of English or English as a Second Language, which shall include but not be limited to the following: grammar, writing, and reading skills, advanced grammar, composition, American literature, advanced composition, research methods and skills and literature. One-half credit of the English requirement shall include the principles of speech and debate but not be limited to those principles.
      - ii. One and one-half credits in instruction in the essentials, sources and history of the constitutions of the United States and Arizona and instruction in American institutions and ideals and in the history of Arizona.
      - iii. One credit of world history/geography.
      - iv. Two credits of mathematics. Mathematics credits shall be taken consecutively beginning with the 9th grade, and the course content of the mathematics credits shall include Number Sense; Data Analysis and Probability; Patterns, Algebra and Functions; Geometry; Measurement and Discrete Mathematics; and Mathematical Structure/Logic, in preparation for proficiency, at the high school level, on the AIMS test.
      - v. Two credits of science.
      - vi. One credit of fine arts or vocational education.
    - b. Each eligible grade in an advanced placement class, or a school district or charter school designated "honors" class, up to the 11 1/2 credits prescribed in this Section, shall receive additional points as follows:
      - i. A letter grade of "A," or its equivalent, shall receive additional points equal to ~~25~~ 15 times the amount of credit for that class.
      - ii. A letter grade of "B," or its equivalent, shall receive additional points equal to ~~20~~ 12 times the amount of credit for that class.
      - iii. A letter grade of "C," or its equivalent, shall receive additional points towards the average augmentation equal to ~~15~~ nine times the amount of credit for that class.
      - iv. A letter grade of "D" or "F," or its equivalent, shall receive zero points towards the average.
    - c. All other eligible grades, up to the 11 1/2 credits prescribed in this Section, shall receive additional points as follows:
      - i. A letter grade of "A," or its equivalent, shall receive additional points towards the average augmentation equal to ~~20~~ 12 times the amount of credit for that class.
      - ii. A letter grade of "B," or its equivalent, shall receive additional points towards the average augmentation equal to ~~15~~ nine times the amount of credit for that class.
      - iii. A letter grade of "C," or its equivalent, shall receive additional points towards the average augmentation equal to ~~12~~ seven times the amount of credit for that class.
      - iv. Letter grades of "D" or "F," or their equivalent, shall receive zero points towards the average.
    - d. Pupils that have earned additional credits in any of the areas prescribed in this Section may apply the grade that would award the highest augmentation.

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- e. After determining a pupil's additional points the school district or charter school shall calculate the average number of points awarded per credit by dividing the sum of additional points earned by ~~44.5~~ 11 1/2.
- f. The pupil's augmentation shall be calculated by applying the following formula:

$$\left( \frac{\text{Avg. Additional Points per Credit}}{100} \right) \times (\text{Pupil's Original Score}) = \text{Augmentation Points}$$

- 2. The augmentation points shall be added to the pupil's highest achieved score on each section of the AIMS assessment where the student failed to achieve a passing score. If a pupil's augmented score exceeds the passing score for the applicable section of the AIMS assessment, the pupil shall be considered to have passed that section of the assessment for graduation purposes.
- 3. The school district or charter school shall augment the highest achieved score of each section of the AIMS assessment where a pupil failed to achieve a passing score separately and concurrently.
- F. A pupil's augmented score shall be used only for the purpose of determining whether the pupil meets the competency test requirement for graduation from high school.
- G. All school districts and charter schools shall report to the Arizona Department of Education the number of students in their schools that met the alternative graduation requirement prescribed in this Section. School districts and charter schools shall also report disaggregated data showing the number of students whose augmented scores met or exceeded the passing scores for the reading, writing and math sections of the AIMS assessment respectively. These reports shall be made annually and shall be received by the Arizona Department of Education by June 30.

**R7-2-302.07 AIMS, Additional Credit; Graduation Class of 2011**

- A. A pupil who fails to achieve a passing score on the AIMS assessment for high school graduation during the 2010 – 2011 school year may graduate if the pupil meets the alternative graduation requirements established pursuant to this Section.
- B. A school district or charter school is not required to comply with this Section if it is determined that augmenting the pupil's score on any section of the AIMS assessment by five percent would not meet or exceed the "Meets the Standard" threshold.
- C. A pupil is eligible for the alternative graduation requirement established pursuant to this Section if all of the following apply:
  - 1. The pupil has completed with a passing grade all coursework and credits prescribed for the graduation of pupils from high school by the governing board of the pupil's school district or charter school.
  - 2. The pupil has taken the AIMS assessment each time the test was offered when the pupil was eligible to take the test after August 12, 2005.
  - 3. The pupil has participated in any academic remediation program available in the pupil's school in those subject areas where the pupil failed to achieve a passing score on AIMS.
- D. If a pupil is not eligible for the AIMS augmentation due to a failure to meet the requirements in subsections (C)(2) and/or (3) the student may appeal this decision to the local governing board. The governing board may delegate these appeals to other school district or charter school officials. All appeals held pursuant to this subsection shall comply with the following requirements:
  - 1. The governing board shall adopt a form for a petition that a pupil, or a pupil's parent or legal guardian, must complete to initiate an appeal. The petition shall indicate what requirement is being appealed and the basis for the appeal. The petition shall also include a written explanation of the appeal procedures used by the school district or charter school.
  - 2. The pupil, or the pupil's representative, shall have the burden of demonstrating what circumstances prevented compliance with the requirements in subsections (C)(2) and/or (3).
  - 3. An appeal for failing to meet the requirement in subsection (C)(2) should be granted only upon presentation of credible evidence that extreme circumstances made the pupil ineligible for each AIMS assessment administration the student did not attend.
  - 4. An appeal for failing to meet the requirement in subsection (C)(3) should be granted only upon presentation of credible evidence that the pupil has participated in at least one state or school sanctioned remediation program in those subject areas where the pupil failed to achieve a passing score on the AIMS assessment.
  - 5. School district or charter school officials shall provide adequate notice to the pupil and the pupil's parents or legal guardians regarding the date, time and place of the appeal. A pupil, or a pupil's representative, may participate in the appeal either personally, by telephone, or by providing written documentation.
  - 6. All other procedures regarding these appeals shall be determined by the local school district or charter school governing board.
- E. Every school district or charter school that graduates pupils from high school shall determine whether the pupils that have failed to achieve a passing score on any section of the AIMS assessment meet the alternative graduation requirements established by this Section. In making this determination the school or school district shall adhere to the following requirements:
  - 1. The school district or charter school shall augment the score of each section of the AIMS assessment where a pupil failed to achieve a passing score with additional points derived from classroom performance. These points shall rep-

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resent a potential percentage augmentation from a pupil's original score. The number of additional points shall be calculated as follows:

- a. Only classes that satisfy the following 11 1/2 credits shall be included in the calculation:
  - i. Four credits of English or English as a Second Language, which shall include but not be limited to the following: grammar, writing, and reading skills, advanced grammar, composition, American literature, advanced composition, research methods and skills and literature. One-half credit of the English requirement shall include the principles of speech and debate but not be limited to those principles.
  - ii. One and one-half credits in instruction in the essentials, sources and history of the constitutions of the United States and Arizona and instruction in American institutions and ideals and in the history of Arizona.
  - iii. One credit of world history/geography.
  - iv. Two credits of mathematics. Mathematics credits shall be taken consecutively beginning with the 9th grade, and the course content of the mathematics credits shall include Number Sense; Data Analysis and Probability; Patterns, Algebra and Functions; Geometry; Measurement and Discrete Mathematics; and Mathematical Structure/Logic, in preparation for proficiency, at the high school level, on the AIMS test.
  - v. Two credits of science.
  - vi. One credit of fine arts or vocational education.
- b. Each eligible grade in an advanced placement class, or a school district or charter school designated "honors" class, up to the 11 1/2 credits prescribed in this Section, shall receive additional points as follows:
  - i. A letter grade of "A," or its equivalent, shall receive additional points equal to five times the amount of credit for that class.
  - ii. A letter grade of "B," or its equivalent, shall receive additional points equal to four times the amount of credit for that class.
  - iii. A letter grade of "C," or its equivalent, shall receive additional points towards the average augmentation equal to three times the amount of credit for that class.
  - iv. A letter grade of "D" or "F," or its equivalent, shall receive zero points towards the average.
- c. All other eligible grades, up to the 11 1/2 credits prescribed in this Section, shall receive additional points as follows:
  - i. A letter grade of "A," or its equivalent, shall receive additional points towards the average augmentation equal to four times the amount of credit for that class.
  - ii. A letter grade of "B," or its equivalent, shall receive additional points towards the average augmentation equal to three times the amount of credit for that class.
  - iii. A letter grade of "C," or its equivalent, shall receive additional points towards the average augmentation equal to two times the amount of credit for that class.
  - iv. Letter grades of "D" or "F," or their equivalent, shall receive zero points towards the average.
- d. Pupils that have earned additional credits in any of the areas prescribed in this Section may apply the grade that would award the highest augmentation.
- e. After determining a pupil's additional points the school district or charter school shall calculate the average number of points awarded per credit by dividing the sum of additional points earned by 11 1/2.
- f. The pupil's augmentation shall be calculated by applying the following formula:

$$\frac{(\text{Avg. Additional Points per Credit})}{100} \times (\text{Pupil's Original Score}) = \text{Augmentation Points}$$

2. The augmentation points shall be added to the pupil's highest achieved score on each section of the AIMS assessment where the student failed to achieve a passing score. If a pupil's augmented score exceeds the passing score for the applicable section of the AIMS assessment, the pupil shall be considered to have passed that section of the assessment for graduation purposes.
3. The school district or charter school shall augment the highest achieved score of each section of the AIMS assessment where a pupil failed to achieve a passing score separately and concurrently.

**E.** A pupil's augmented score shall be used only for the purpose of determining whether the pupil meets the competency test requirement for graduation from high school.

**G.** All school districts and charter schools shall report to the Arizona Department of Education the number of students in their schools that met the alternative graduation requirement prescribed in this Section. School districts and charter schools shall also report disaggregated data showing the number of students whose augmented scores met or exceeded the passing scores for the reading, writing and math sections of the AIMS assessment respectively. These reports shall be made annually and shall be received by the Arizona Department of Education by June 30.

**R7-2-302.08 AIMS, Additional Credit; Graduation Class of 2012**

**A.** Beginning with the graduation class of 2012 a pupil who fails to achieve a passing score on the AIMS assessment for high school graduation may graduate if the pupil meets the alternative graduation requirements established pursuant to this Section.

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- B.** A school district or charter school is not required to comply with this Section if it is determined that augmenting the pupil's score on any section of the AIMS assessment by five percent would not meet or exceed the "Meets the Standard" threshold.
- C.** A pupil is eligible for the alternative graduation requirement established pursuant to this Section if all of the following apply:
1. The pupil has completed with a passing grade all coursework and credits prescribed for the graduation of pupils from high school by the governing board of the pupil's school district or charter school.
  2. The pupil has taken the AIMS assessment each time the test was offered when the pupil was eligible to take the test after August 12, 2005.
  3. The pupil has participated in any academic remediation program available in the pupil's school in those subject areas where the pupil failed to achieve a passing score on AIMS.
- D.** If a pupil is not eligible for the AIMS augmentation due to a failure to meet the requirements in subsections (C)(2) and/or (3) the student may appeal this decision to the local governing board. The governing board may delegate these appeals to other school district or charter school officials. All appeals held pursuant to this subsection shall comply with the following requirements:
1. The governing board shall adopt a form for a petition that a pupil, or a pupil's parent or legal guardian, must complete to initiate an appeal. The petition shall indicate what requirement is being appealed and the basis for the appeal. The petition shall also include a written explanation of the appeal procedures used by the school district or charter school.
  2. The pupil, or the pupil's representative, shall have the burden of demonstrating what circumstances prevented compliance with the requirements in subsections (C)(2) and/or (3).
  3. An appeal for failing to meet the requirement in subsection (C)(2) should be granted only upon presentation of credible evidence that extreme circumstances made the pupil ineligible for each AIMS assessment administration the student did not attend.
  4. An appeal for failing to meet the requirement in subsection (C)(3) should be granted only upon presentation of credible evidence that the pupil has participated in at least one state or school sanctioned remediation program in those subject areas where the pupil failed to achieve a passing score on the AIMS assessment.
  5. School district or charter school officials shall provide adequate notice to the pupil and the pupil's parents or legal guardians regarding the date, time and place of the appeal. A pupil, or a pupil's representative, may participate in the appeal either personally, by telephone, or by providing written documentation.
  6. All other procedures regarding these appeals shall be determined by the local school district or charter school governing board.
- E.** Every school district or charter school that graduates pupils from high school shall determine whether the pupils that have failed to achieve a passing score on any section of the AIMS assessment meet the alternative graduation requirements established by this Section. In making this determination the school or school district shall adhere to the following requirements:
1. The school district or charter school shall augment the score of each section of the AIMS assessment where a pupil failed to achieve a passing score with additional points derived from classroom performance. These points shall represent a potential percentage augmentation from a pupil's original score. The number of additional points shall be calculated as follows:
    - a. Only classes that satisfy the following 13 credits shall be included in the calculation:
      - i. Four credits of English or English as a Second Language, which shall include but not be limited to the following: grammar, writing, and reading skills, advanced grammar, composition, American literature, advanced composition, research methods and skills and literature. One-half credit of the English requirement shall include the principles of speech and debate but not be limited to those principles.
      - ii. Three credits in social studies to include the following:
        - (1) One credit of American history, including Arizona history;
        - (2) One credit of world history/geography;
        - (3) One-half credit of American government, including Arizona government; and
        - (4) One-half credit of economics.
      - iii. Three credits of mathematics. The course content for at least two of the mathematics credits shall include Number Sense and Operations; Data Analysis, Probability and Discrete Mathematics; Patterns, Algebra and Functions; Geometry and Measurement; and Structure and Logic in preparation for proficiency at the high school level on the AIMS test and shall be taken consecutively beginning with the 9th grade unless a student meets these requirements prior to the 9th grade pursuant to R7-2-302.01(1)(c). The third credit shall include significant mathematics content as determined by the local school district governing board or charter school. Courses successfully completed prior to the 9th grade that meet the high school mathematics credit requirements may be applied toward satisfying those requirements.
      - iv. Two credits of science in preparation for proficiency at the high school level on the AIMS test.
      - v. One credit of fine arts or career and technical education and vocational education.

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- b. Each eligible grade in an advanced placement class, or a school district or charter school designated "honors" class, up to the 11 1/2 credits prescribed in this Section, shall receive additional points as follows:
  - i. A letter grade of "A," or its equivalent, shall receive additional points equal to five times the amount of credit for that class.
  - ii. A letter grade of "B," or its equivalent, shall receive additional points equal to four times the amount of credit for that class.
  - iii. A letter grade of "C," or its equivalent, shall receive additional points towards the average augmentation equal to three times the amount of credit for that class.
  - iv. A letter grade of "D" or "F," or its equivalent, shall receive zero points towards the average.
- c. All other eligible grades, up to the 13 credits prescribed in this Section, shall receive additional points as follows:
  - i. A letter grade of "A," or its equivalent, shall receive additional points towards the average augmentation equal to four times the amount of credit for that class.
  - ii. A letter grade of "B," or its equivalent, shall receive additional points towards the average augmentation equal to three times the amount of credit for that class.
  - iii. A letter grade of "C," or its equivalent, shall receive additional points towards the average augmentation equal to two times the amount of credit for that class.
  - iv. Letter grades of "D" or "F," or their equivalent, shall receive zero points towards the average.
- d. Pupils that have earned additional credits in any of the areas prescribed in this Section may apply the grade that would award the highest augmentation.
- e. After determining a pupil's additional points the school district or charter school shall calculate the average number of points awarded per credit by dividing the sum of additional points earned by 13.
- f. The pupil's augmentation shall be calculated by applying the following formula:

$$\frac{(\text{Avg. Additional Points per Credit})}{100} \times (\text{Pupil's Original Score}) = \text{Augmentation Points}$$

- 2. The augmentation points shall be added to the pupil's highest achieved score on each section of the AIMS assessment where the student failed to achieve a passing score. If a pupil's augmented score exceeds the passing score for the applicable section of the AIMS assessment, the pupil shall be considered to have passed that section of the assessment for graduation purposes.
- 3. The school district or charter school shall augment the highest achieved score of each section of the AIMS assessment where a pupil failed to achieve a passing score separately and concurrently.

**F.** A pupil's augmented score shall be used only for the purpose of determining whether the pupil meets the competency test requirement for graduation from high school.

**G.** All school districts and charter schools shall report to the Arizona Department of Education the number of students in their schools that met the alternative graduation requirement prescribed in this Section. School districts and charter schools shall also report disaggregated data showing the number of students whose augmented scores met or exceeded the passing scores for the reading, writing and math sections of the AIMS assessment respectively. These reports shall be made annually and shall be received by the Arizona Department of Education by June 30.

**R7-2-302.09 AIMS, Additional Credit; Beginning with the Graduation Class of 2013**

**A.** Beginning with the graduation class of 2013 a pupil who fails to achieve a passing score on the AIMS assessment for high school graduation may graduate if the pupil meets the alternative graduation requirements established pursuant to this Section.

**B.** A school district or charter school is not required to comply with this Section if it is determined that augmenting the pupil's score on any section of the AIMS assessment by five percent would not meet or exceed the "Meets the Standard" threshold.

**C.** A pupil is eligible for the alternative graduation requirement established pursuant to this Section if all of the following apply:

- 1. The pupil has completed with a passing grade all coursework and credits prescribed for the graduation of pupils from high school by the governing board of the pupil's school district or charter school.
- 2. The pupil has taken the AIMS assessment each time the test was offered when the pupil was eligible to take the test after August 12, 2005.
- 3. The pupil has participated in any academic remediation program available in the pupil's school in those subject areas where the pupil failed to achieve a passing score on AIMS.

**D.** If a pupil is not eligible for the AIMS augmentation due to a failure to meet the requirements in subsections (C)(2) and/or (3) the student may appeal this decision to the local governing board. The governing board may delegate these appeals to other school district or charter school officials. All appeals held pursuant to this subsection shall comply with the following requirements:

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1. The governing board shall adopt a form for a petition that a pupil, or a pupil's parent or legal guardian, must complete to initiate an appeal. The petition shall indicate what requirement is being appealed and the basis for the appeal. The petition shall also include a written explanation of the appeal procedures used by the school district or charter school.
  2. The pupil, or the pupil's representative, shall have the burden of demonstrating what circumstances prevented compliance with the requirements in subsections (C)(2) and/or (3).
  3. An appeal for failing to meet the requirement in subsection (C)(2) should be granted only upon presentation of credible evidence that extreme circumstances made the pupil ineligible for each AIMS assessment administration the student did not attend.
  4. An appeal for failing to meet the requirement in subsection (C)(3) should be granted only upon presentation of credible evidence that the pupil has participated in at least one state or school sanctioned remediation program in those subject areas where the pupil failed to achieve a passing score on the AIMS assessment.
  5. School district or charter school officials shall provide adequate notice to the pupil and the pupil's parents or legal guardians regarding the date, time and place of the appeal. A pupil, or a pupil's representative, may participate in the appeal either personally, by telephone, or by providing written documentation.
  6. All other procedures regarding these appeals shall be determined by the local school district or charter school governing board.
- E.** Every school district or charter school that graduates pupils from high school shall determine whether the pupils that have failed to achieve a passing score on any section of the AIMS assessment meet the alternative graduation requirements established by this Section. In making this determination the school or school district shall adhere to the following requirements:
1. The school district or charter school shall augment the score of each section of the AIMS assessment where a pupil failed to achieve a passing score with additional points derived from classroom performance. These points shall represent a potential percentage augmentation from a pupil's original score. The number of additional points shall be calculated as follows:
    - a. Only classes that satisfy the following 15 credits shall be included in the calculation:
      - i. Four credits of English or English as a Second Language, which shall include but not be limited to the following: grammar, writing, and reading skills, advanced grammar, composition, American literature, advanced composition, research methods and skills and literature. One-half credit of the English requirement shall include the principles of speech and debate but not be limited to those principles.
      - ii. Three credits in social studies to include the following:
        - (1) One credit of American history, including Arizona history;
        - (2) One credit of world history/geography;
        - (3) One-half credit of American government, including Arizona government; and
        - (4) One-half credit of economics.
      - iii. Four credits of mathematics to minimally include the following:
        - (1) Two credits containing course content covering the following areas in preparation for proficiency on the AIMS test: Number Sense and Operations; Data Analysis, Probability and Discrete Mathematics; Patterns, Algebra and Functions; Geometry and Measurement; and Structure and Logic. These credits shall be taken consecutively beginning with the 9th grade unless a student meets these requirements prior to the 9th grade pursuant to R7-2-302.02(1)(c)(iv).
        - (2) One credit covering Algebra II or course content equivalent to Algebra II. Courses meeting this requirement may include but are not limited to, career and technical education and vocational education, economics, science, and arts courses as determined by the local school district governing board or charter school.
        - (3) One credit that includes significant mathematics content as determined by the local school district governing board or charter school.
        - (4) Courses successfully completed prior to the 9th grade that meet the high school mathematics credit requirement may be applied toward satisfying those requirements.
        - (5) Mathematics credits earned using a personal curriculum pursuant to R7-2-302.03 may substituted for the credit in subsection R7-2-302.10(E)(1)(a)(iii)(2).
      - iv. Three credits of science in preparation for proficiency at the high school level on the AIMS test.
      - v. One credit of fine arts or career and technical education and vocational education.
    - b. Each eligible grade in an advanced placement class, or a school district or charter school designated "honors" class, up to the 11 1/2 credits prescribed in this Section, shall receive additional points as follows:
      - i. A letter grade of "A," or its equivalent, shall receive additional points equal to five times the amount of credit for that class.
      - ii. A letter grade of "B," or its equivalent, shall receive additional points equal to four times the amount of credit for that class.



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- iii. A letter grade of "C," or its equivalent, shall receive additional points towards the average augmentation equal to three times the amount of credit for that class.
- iv. A letter grade of "D" or "F," or its equivalent, shall receive zero points towards the average.
- c. All other eligible grades, up to the 15 credits prescribed in this Section, shall receive additional points as follows:
  - i. A letter grade of "A," or its equivalent, shall receive additional points towards the average augmentation equal to four times the amount of credit for that class.
  - ii. A letter grade of "B," or its equivalent, shall receive additional points towards the average augmentation equal to three times the amount of credit for that class.
  - iii. A letter grade of "C," or its equivalent, shall receive additional points towards the average augmentation equal to two times the amount of credit for that class.
  - iv. Letter grades of "D" or "F," or their equivalent, shall receive zero points towards the average.
- d. Pupils that have earned additional credits in any of the areas prescribed in this Section may apply the grade that would award the highest augmentation.
- e. After determining a pupil's additional points the school district or charter school shall calculate the average number of points awarded per credit by dividing the sum of additional points earned by 15.
- f. The pupil's augmentation shall be calculated by applying the following formula:

$$\frac{(\text{Avg. Additional Points per Credit})}{100} \times (\text{Pupil's Original Score}) = \text{Augmentation Points}$$

- 2. The augmentation points shall be added to the pupil's highest achieved score on each section of the AIMS assessment where the student failed to achieve a passing score. If a pupil's augmented score exceeds the passing score for the applicable section of the AIMS assessment, the pupil shall be considered to have passed that section of the assessment for graduation purposes.
- 3. The school district or charter school shall augment the highest achieved score of each section of the AIMS assessment where a pupil failed to achieve a passing score separately and concurrently.
- E.** A pupil's augmented score shall be used only for the purpose of determining whether the pupil meets the competency test requirement for graduation from high school.
- G.** All school districts and charter schools shall report to the Arizona Department of Education the number of students in their schools that met the alternative graduation requirement prescribed in this Section. School districts and charter schools shall also report disaggregated data showing the number of students whose augmented scores met or exceeded the passing scores for the reading, writing and math sections of the AIMS assessment respectively. These reports shall be made annually and shall be received by the Arizona Department of Education by June 30.